

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.6697 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner, who is arrayed as accused No.1, seeking bail in Crime No.265 of 2025 of S.R.Nagar Police Station, Hyderabad, registered for the offence punishable under Sections 143 and 144(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956 (for short 'PITA Act).

2. The case of the prosecution is that Accused No. 1 (A-1) migrated to Hyderabad in 2014 in search of work, initially working as a PG hostel manager and later as an office boy in various SPA centers. In 2022, he started "ROOTS SPA" by renting a building from Bhaskar Rao for Rs. 45,000/- per month. After failing to earn sufficient income and facing financial hardship post his marriage to Shalini in 2023, A-1 allegedly converted the SPA into a front for prostitution. He operated under the name "New ROOTS Beauty & SPA" from Flat No. 303, 3rd Floor, KVR Enclave, Ameerpet, Hyderabad, and employed sex workers, arranging clients via calls and WhatsApp. On 15.04.2025 at around 7:00 PM, A-1

was found at the premises with nine sex workers and four customers (A-2 to A-5). The police along with panch witnesses conducted a raid, apprehended them, and seized one swiping machine and electronic devices from the customers. Basing on the same, a case was registered in Crime No.265 of 2025.

3. Heard Mr.M.Prashanth Kumar, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent person and he did not commit the alleged offence and he was falsely implicated in this crime. Even according to the allegations made in the complaint, the ingredients of the alleged offences are not attracted against the petitioner. He further submitted that the petitioner was arrested on 15.04.2025 and since then he is in judicial custody and the entire investigation is completed, except filing of charge sheet. He further submitted that the petitioner is the only breadwinner of his family and his wife is pregnant woman and he is not having any other criminal antecedents. He further submitted that the petitioner is ready to cooperate with the investigation and also ready to abide by the conditions, which are going to be imposed by this Court and hence, prayed for grant of bail.

5. *Per contra*, learned Additional Public Prosecutor opposed the bail petition and submitted that the petitioner has committed grave offences and the investigation is not yet completed and therefore, he is not entitled for grant of bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the petitioner was arrested on 15.04.2025 and since then he is in judicial custody. The record further discloses that in respect of accused Nos.2 to 5, the investigation officer issued notice under section 41-A of the Cr.P.C./Section 35(3) of the BNSS and recorded their statements. Even according to the learned Additional Public Prosecutor, petitioner is not having any other criminal antecedents and 18 witnesses were already examined and the custodial interrogation of the petitioner is no more required.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused No.1, subject to the following conditions:

- (i) The petitioner/accused No.1 shall execute a personal bond for a sum of Rs.30,000/-(Rupees Thirty Thousand only) with two sureties for a like

sum each to the satisfaction of III Additional Chief Judicial Magistrate at Hyderabad.

(ii) The petitioner/accused No.1 shall appear before the concerned SHO at 11.00 A.M. on every Monday, for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation and thereafter, as and when required.

(iii) After release, if the petitioner/accused No.1 indulges in similar offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court in his favour.

(iv) The petitioner/accused No.1 shall abide by the conditions stipulated in Section 480 (3) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

Date:10.06.2025
vsl

J. SREENIVAS RAO, J